



MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, February 8, 2022
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, February 8, 2022, at 4:00 PM, in the Council Chambers, with the following members present:

COUNCIL PRESENT: Mayor Barry Kaufman
Vice Mayor Jimmie Accardi
Councilmember Weidner Abernethy
Councilmember Kelly Melang
Councilmember Erin Gonyea

COUNCIL EXCUSED:

STAFF PRESENT: Attorney Stacy Eggers, IV
Town Manager Bob Pudney
Town Clerk Tamara Mercer
Director of Special Projects Riley Hatch

1. CALL TO ORDER

2. ADOPTION OF AGENDA

2.1. Mayor Kaufman requested a motion to adopt the agenda.

Motion

Weidner Abernethy made a motion to adopt the agenda and Erin Gonyea seconded the motion. CARRIED. unanimously.

3. INVOCATION- DEWEY CYCLONE BRETT

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT

5.1. Mr. Nick Wilson of 513 Charter Hills Road stated his concern was regarding debris such as piles of limbs and leaves on the mountain and on Beech Mountain Parkway. He requested a policy change for the collection of yard debris more than four times a year.

Mr. Wilson complimented the staff on the snow removal and roadway maintenance.

6. **CONSENT AGENDA**

- 6.1. Mayor Kaufman requested a motion to adopt the consent agenda which consisted of the of the January 11, 2022, regular meeting minutes.

Motion

Kelly Melang made a motion to adopt the consent agenda of the January 11, 2022, meeting minutes and Jimmie Accardi seconded the motion. CARRIED. unanimously.

7. **OLD BUSINESS**

- 7.1. Request for Qualifications Selection

Mayor Kaufman requested a motion for the selection of an engineering firm from among the submissions received for the Request for Qualifications (RFQ) for the design and construction monitoring for the Water Service Line Replacement Project for approximately 600 service connections. Staff recommends West Consultants, PLLC.

Motion

Jimmie Accardi made a motion to contract with West Consultants, PLLC for the Water Service Line Replacement Project and Erin Gonyea seconded the motion. CARRIED. unanimously.

- 7.2. Boards and Committee Member Terms and Appointments

Mayor Kaufman noted the vacant position on the Recreation Committee under the Boards and Committee Member Terms and Appointments agenda item. In response to his request for a motion, Vice Mayor Accardi nominated Ben Swadley to the Parks and Recreation Committee and Councilmember Gonyea seconded the motion. Motion carried unanimously. 5-0

Mayor Kaufman stated there would be a change to the Chair position on the Tourism Development Authority and to replace TDA Chairman Sandy Carr, to which Vice Mayor Accardi nominated Mandy Taylor as Chairman.

Motion

Jimmie Accardi made a motion to appoint Mandy Taylor as TDA Chairperson and Erin Gonyea seconded the motion. CARRIED. 4-1 (opposed: Weidner Abernethy).

8. FEATURED LOCAL BUSINESS- THERAPEUTIC MASSAGE OF BEECH MTN - VANNA HOLTSCLAW

- 8.1.** Ms. Vanna Holtsclaw thanked Council and noted her business is located at 405 Beech Mountain Parkway. Ms. Holtsclaw reviewed her treatments and services which are scheduled by appointment. She is from Roan Mountain and purchased the business years ago. She offers massage therapy year-round as well as mobile treatments.

9. NEW BUSINESS

- 9.1.** Watauga County - Tax Administrator, Larry Warren - 2022 Reappraisal Report

Mr. Pudney introduced Mr. Larry Warren, Watauga County Tax Administrator presenting the 2022 Reappraisal Report. Mr. Warren stated the last property evaluation occurred in 2014, as per the State Law, the county tax reappraisal is conducted every eight years. The County contracted with Vincent Evaluations, and he introduced Mr. Ryan Vincent, who conducted property tax field work.

Mr. Vincent said the reappraisal is a process in which all real property in the county is appraised at its current market value as of a particular date. Real property includes both land and the improvements on it, whether residential, commercial, agricultural, or industrial in nature. State Law requires all counties to conduct a reappraisal at least once every eight years.

He said the County's reappraisal distributes the overall property tax burden equitably across the county based on current market values. Market value is the most probable price a property would bring in an open and competitive market. Over time, most properties change in value, but often at different rates, depending on location.

Mr. Vincent added the Tax Office does not create market value, rather they analyze market sales to determine market patterns and trends in different locations. Market value is set by the choices of buyers and sellers in the marketplace. Mr. Vincent said the reappraisal takes effect January 1, 2022. The new market values will be used to calculate tax bills from Summer 2022 until the next reappraisal occurs. The 2022 'Reappraisal Notices' will be mailed to all Watauga County property owners at the end of March 2022. Three steps in the reappraisal process are: Collection of Physical Characteristics: Physical characteristics are collected for each property, including condition and exterior features. Sales Analysis: Property sales are studied to determine market areas, trends, and patterns.

In order to complete the reappraisal, the firm uses best practices to develop the 'Schedule of Values': Schedule of Values are developed to help appraisers correlate physical characteristics with market values. Properties and sales are analyzed to determine current property conditions, market areas, and typical sale prices for areas. Some areas of the county have seen an increase in market values, while others have experienced a decrease in value.

Some areas have changed a lot, and others by much less. He added that some areas are about the same. Mr. Vincent then presented photos of assessed property values and reappraisal changes in Boone, Blowing Rock, Powder Horn, Todd, Meat Camp, Laurel Creek, Seven Devils, Banner Elk, other properties in the County, and on Beech Mountain.

Appraised value and tax rates are two separate concerns. Mr. Vincent said the County tax appraisers evaluate market activity to determine appraised value, or market value. The tax rate is determined by the Watauga County taxing jurisdictions, based on their budget needs. The appraised value is established well before the tax rate is set and is totally independent of the tax rate. The amount of the final tax bill cannot be determined until the tax rate is set.

Mr. Vincent reviewed the steps to the appeal process:

- 1.) Review- Review the information the County has on file for your property and report any outdated or incorrect information to us.
- 2.) Compare- Compare your property value with the sale prices of similar properties using the County's free online service.
- 3.) Appeal- If all information is up to date and you still disagree with the assessed value, you can file an appeal with the Board of Equalization and Review (BOER) and schedule a hearing. After the BOER hears your appeal, you will receive written notification of your property value in the mail.

Citizens may file the appeal on-line which is supported with a valid reason. Appeals must be based on value not affordability of expected tax. There are exemptions such as a qualifying farm bill or a veteran qualifies. An appeal of the reappraisal cannot be based on your level of service provided by the town or county. A citizen will need to provide information to support the appeal. Useful documentation includes: Comparable sales or comparable sale reports from the property owner, the counties online sales database or a real estate professional or appraisal. Pictures showing the property's inner and outer features and condition, including any upgrades

- A copy of a recent fee appraisal for the property, such as one done in connection with the purchase or refinance of the property
- Damage on property maybe evidence
- Property appraisal from the bank can be used if it is recent
- Deadline is April 26th at 5:000 pm appeals filing

Attorney Eggers stated that for the county commissioners and for councils, that we are required to report the revenue to the Local Government Commission and .403% is currently the tax rate for the county and we must report a revenue neutral rate. He explained how a town remains revenue neutral and that we set the tax rate after receiving the reappraisal from the tax

administrator's office. This is the reason for the presentation and explanation of assessments and market rate sales of property.

9.2. 2021 Economic Impact Trail Study- Conducted in partnership between Beech Mountain Parks and Recreation and Appalachian State University

Mr. Royall introduced Dr. John Whitehead, Appalachian State Professor of Economics, who facilitated the lead study with Appalachian State students.

Dr. Whitehead provided the trail study and reviewed the report. He said Parks and recreation Director and the TDA reached out to the Department to recruit App State to conduct the field trail study and trail maintenance program. The App. State Economic Department has partnered with conducting studies in other regions in the community. This is an inexpensive study and graduates and undergrad students learn how to compile feasibility study data collections and demographics and serve as survey enumerators. It was conducted from June 1 - September 6, 2021.

The students worked on trails in-person and promoted using the QR bar code. He said this was on Beech Mountain at trail heads where people could scan the barcode and take the survey online at home. Students surveyed the trail hikers and collected the data in-person or interactively on-line. Approximately 40 trips onsite at the Emerald Mountain Outback (EMO), 500 cards were distributed, and 407 responses were captured of that, 374 trail users provided useable responses.

Dr. Whitehead highlighted the data that the respondents were between 45 and 64 years old, the age of the typical respondent. Between \$125,000 and \$150,000 was the average income of the typical respondent and 241 miles was the average distance a trail user had traveled away from their home to visit the trails of Beech Mountain. The actual range travelled of all respondents was 0 to 2000 miles. 55% of respondents are female.

Other points highlighted were: dollars spent per visitor, lodging, trail satisfaction, and that approximately 22,991 total persons visited the EMO trails during the months of June, July, and August of 2021. \$722,000 to \$2.26-million-dollars is the estimated annual economic impact of the Town of Beech Mountain trail system. Dr. Whitehead said this was estimated by applying RIMS II multipliers from the U.S. Bureau of Economic Analysis.

Dr. Whitehead noted that the study cost the Town approximately \$4,000. The monies were used towards the students' travel reimbursements and stipends. The University faculty did not receive funds as it went towards the students' costs for administering the program.

There was a question-and-answer period. Councilmember Abernethy noted the study was inconclusive information based on methodology and we need hard data, to which Dr. Whitehead noted most consultants gather data as approved by best practices and proven methodology.

9.3. Chapter 71: Parking and Towing Ordinance

Mayor Kaufman called for a council discussion regarding the proposed amendment. Councilmember Melang inquired as to the Town's liability of towing cars to which Attorney Eggers replied that the government possesses a certain amount of immunity and is covered by the NCLM Property and Casualty Liability Insurance policy. The purpose of the amendment is to alleviate hazards and provide safety to the public.

Mr. Pudney noted that the request has come about due to the geography on the mountain. We requested various towing companies to remove a blocked or broken-down vehicle creating hazards for emergency services to respond to emergencies, but none will respond. Staff has tried to contract with towing companies, but it does not work out, therefore we are requesting the Parking and Towing Ordinance be approved. This would allow the Police Department to address illegally parked cars, or assist in removing blocked cars, accounting, ticketing, and code citations for the Town. It has become a safety and practical problem if a fire truck is blocked, or traffic is stopped on Beech Mountain Parkway or for our snowplows to remove snow. Mr. Pudney said we will prepare a budget amendment to purchase a used tow truck. The operating expenses shall be listed under the Police Department's budget.

There was a question-and-answer period regarding citations, storage, towing procedures, safety, and Mr. Pudney recounted incidents of traffic and vehicle problems over the winter. One was a 13-car pile-up. The Staff had to use other equipment in order to move a vehicle in front of the fire truck during an emergency. This proposal allows staff to purchase the proper equipment.

In response to Vice Mayor Accardi's question, Mr. Pudney explained that we have tried to contract out vehicle towing, but none would respond. We reached out and the town cannot find a vendor who will do it. The local towing companies are not interested in traveling up the mountain to tow.

Mr. Pudney reiterated that there was an incident of a 13-vehicle pile-up for over 24-hours in which no one, no ambulance nor fire truck could get through and no one else could travel on Beech Mountain Parkway. Mayor Kaufman requested a motion vote on the matter after further discussion.

Motion

Weidner Abernethy made a motion to approve the amendment to Chapter 71: Parking and Towing Ordinance and Kelly Melang seconded the motion. CARRIED. unanimously.

9.4. Amend Town Fee Schedule

Mr. Pudney said the Fee Schedule adjustment would add \$150.00 for vehicle towing charge and \$100.00 storage fee of said vehicle. As per State Statute the citation to be issued by the Police Department.

Motion

Weidner Abernethy made a motion to approve the Fee Schedule amendment under the Police Department Schedule of Fees and Erin Gonyea seconded the motion. CARRIED. unanimously.

10. TOWN MANAGER AND STAFF REPORTS

10.1. Financial Report

In response to Councilmember Abernethy's question regarding gains and losses on page 97 of the Finance Report, Mr. Pudney replied that the 92% revenue was reported from the Public Works Water and Sewer fund. Mr. Pudney noted the report clarifies the enterprise fund and the tax revenues collected. He stated that the sources for the category of 'other' as listed would be miscellaneous 'other' sources gains and losses as noted in the General Fund. When the Town receives monies that does not fit into the line items, it is a miscellaneous catch-all phrase for revenues. Councilmember Abernethy requested that clarification, and Mr. Pudney said he would add a budget amendment, and will work on that for next month.

10.2. Manager's Office Report

Mr. Pudney presented the Manager's Report and reviewed the various project and status updates:

Sledding hill report:

- Record numbers of visitors on the weekends
- Great safety record
- Snowmaking is working well

Paid Parking lot:

- 100% occupied on weekends, mostly Saturdays with overflow at old Public Works
- \$16,000 net to the Town currently

Old recycling center: clean-up, building removed, and fence taken down. Mr. Pudney stated the future development will be included in the upcoming budget.

“How do I” section and “short term rental” information published to the website

Lake Coffey / Lake Santis Project: working on flow calculations needed by the resort.

EMS Station: Delay rests with Avery County, Mr. Pudney noted everything is ready to go.

Departments are preparing budget requests with specific attention to the priorities set at the next Council budget retreat.

In response to Councilmember Abernethy's question regarding the EMS Station delay, Mr. Pudney stated that we cannot control the signing of the

written agreement between Avery and Watauga counties, so it is dragging on. Watauga County is ready, but Avery County has not agreed to sign the contracts.

Attorney Eggers explained that due to government immunity we do not have a legal liability, although the agreement is in the best interest of the all the communities. This is why the commissioners should act. The new agreement frees up the already strapped medical personnel and equipment, added Mr. Pudney. The new arrangement better serves the remaining areas of Avery County. Beech Mountain pays for this EMS Station here on Beech which better serves the public. As this reduces response times and saves lives it benefits all citizens, but we shall defer to the political body as to the next course of action.

Mayor Kaufman advised to allow staff to work this out towards an amenable result.

- 10.3. Fire Department Monthly Report
- 10.4. January 2022 Recreation Report
- 10.5. Police Department Monthly Report
- 10.6. Department of Infrastructure January 22
- 10.7. TDA Report February 2022
- 10.8. Planning and Inspection Monthly Report 2022-01

11. TOWN COUNCIL COMMENTS

- 11.1. Vice Mayor Accardi noted the reason for rotating of chairman on the TDA was due to three out of five board members had contacted Council and requested a change.

Councilmember Gonyea said the purpose of Town Council is to be approachable and work with the various groups and the manager, so we need to work together in advancing progress. It was time for a change, and she considered what was best for the Town in the long run. She thanked staff for the snow removal and salting the roadways, as the Town was overwhelmed with crowds in last two snowstorms. The population has increased, which is reflected in the Police Department reports, the garbage amounts, and the traffic.

Councilmember Melang agreed and noted the Parks and Recreation trails report combined with at total lodging revenue by visitors, means it is important that the TDA board needs harmony and collaboration.

Councilmember Abernethy was not opposed to the TDA changes, he wanted to understand the problem first-hand. He did not have enough information. He said we need more recycling center education regarding materials accepted at the landfill. We have a high material rejection rate, which leads to loss of dollars for garbage materials. We need employees to educate

the public. The roadways are clear, and he thanked staff for maintaining the roadways.

Mayor Kaufman thanked Mrs. Carr for her time and service and said it was a hard decision to make.

12. CITIZENS' AGENDA COMMENTS- NONE

13. ADJOURNMENT

13.1. There being no further business, Mayor Kaufman requested an adjournment at 5:41 p.m.

Note: The minutes are not a verbatim transcript of the proceedings.

Town Clerk

Mayor, Town of Beech Mountain